

**AMENDMENTS TO THE CLAIMS**

1. (Currently amended) A photographic image selecting apparatus comprising:

a classifying means for classifying a plurality of photographic images into similar photographic image groups, comprising photographic images which are similar to each other, the similarities being determined by analyzing digital data representing the photographic images;

a qualified photographic image extracting means for extracting photographic images, that satisfy previously stored predetermined selection conditions as qualified photographic images, from each of the similar photographic image groups, wherein the previously stored predetermined selection conditions relate to image quality;

a differentiating and processing means for differentiating the qualified photographic images from the other photographic images and administering processes thereon,

wherein:

the qualified photographic image extracting means is equipped with a selection condition setting means, and

the selection condition setting means sets and stores the selection conditions, after the classifying means classifies the photographic images, for each similar photographic image group, so as to be stricter for similar photographic image groups having a greater number of photographic images included therein; and

a recording means for recording the differentiated photographic images.

2. (Original) A photographic image selecting apparatus as defined in Claim 1, wherein:  
the predetermined selection conditions include image quality levels.

3-4. (Canceled).

5. (Previously Presented) A photographic image selecting apparatus as defined in Claim 1, wherein:

the selection condition setting means sets the selection conditions so that at least one qualified photographic image is extracted from each of the similar photographic image groups.

6-8. (Canceled).

9. (Previously Presented) A photographic image selecting apparatus as defined in Claim 1, wherein:

the selection condition setting means sets the selection conditions according to a specified number of qualified photographic images to be extracted from each of the similar photographic image groups.

10. (Canceled).

11. (Original) A photographic image selecting apparatus as defined in Claim 1, wherein:  
the differentiating and processing means performs processes wherein only the qualified photographic images are printed.

12. (Original) A photographic image selecting apparatus as defined in Claim 1, wherein:  
the differentiating and processing means performs processes wherein the qualified photographic images and the other photographic images are printed at different sizes.

13. (Previously presented) A photographic image selecting apparatus as defined in Claim 1, wherein:

the differentiating and processing means performs processes wherein the qualified photographic images and the other photographic images are differentiated, then recorded in the recording means, the qualified photographic images being stored separately from the other photographic images.

14. (Original) A photographic image selecting apparatus as defined in Claim 1, wherein:  
the differentiating and processing means performs processes wherein only the qualified  
photographic images are recorded in a recording medium.

15. (Original) A photographic image selecting apparatus as defined in Claim 1, wherein:  
the differentiating and processing means is a display means; and  
only the qualified photographic images are displayed thereby.

16. (Original) A photographic image selecting apparatus as defined in Claim 1, wherein:  
the differentiating and processing means is a slideshow display means; and  
the qualified photographic images and the other photographic images are displayed as  
slides for different display durations.

17. (Canceled).

18. (Currently amended) A computer readable medium having recorded therein a  
program that causes a computer to execute selection of photographic images, comprising:

a classifying procedure for classifying a plurality of photographic images into similar  
photographic image groups, comprising photographic images which are similar to each other, the  
similarities being determined by analyzing digital data representing the photographic images;

a qualified photographic image extracting procedure for extracting photographic images,  
that satisfy previously stored predetermined selection conditions as qualified photographic  
images, from each of the similar photographic image groups, wherein the previously stored  
predetermined selection conditions relate to image quality;

a differentiating and processing procedure for differentiating the qualified photographic  
images from the other photographic images and administering processes thereon,

wherein:

the qualified photographic image extracting procedure includes a selection condition  
setting procedure, and

the selection condition setting procedure includes a step for setting and storing the selection conditions after the classifying means classifies the photographic images, for each similar photographic image group, so as to be stricter for similar photographic image groups having a greater number of photographic images included therein; and  
a recording means for recording the differentiated photographic images.

19. (Previously presented) The photographic image selecting apparatus of claim 1, wherein the qualified photographic image extracting means extracts photographic images that satisfy predetermined selection conditions, said predetermined selection conditions being based on image quality.

20. (Previously presented) The photographic image selecting apparatus of claim 1, wherein the predetermined selection conditions are related to at least one of degree of exposure, degree of defocus, degree of blur, degree to defocus of a facial portion, and whether an eye of a subject being photographed is open.

21. (Currently amended) A method, performed by a photographic image selecting apparatus, for selecting photographic images, comprising:

classifying, at a classifying portion, a plurality of photographic images into similar photographic image groups, each of the photographic image groups comprising photographic images which are similar to each other, the similarities being determined by analyzing digital data representing the photographic images;

determining the total number of photographic images in each of the photographic image groups classified by the classifying portion;

setting and storing, at a selection condition setting portion, selection conditions, after the classifying portion classifies the plurality of photographic images, based on image quality for each similar photographic image group having the classified plurality of photographic images based on the determined total number of photographic images, wherein when a total number of

photographic images in one photographic group is larger than a predetermined threshold, the selection conditions are different than the selection conditions that are set for photographic groups having less than the predetermined threshold;

extracting, at an extracting portion, photographic images from each of the photographic image groups classified by the classifying portion, that satisfy the set selection conditions as qualified photographic images;

differentiating, at the extracting portion, the qualified photographic images from the other photographic images and administering processes thereon; and

recording the differentiated photographic images.